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## MEMO ENDORSED

September 8, 2008

**Via Fax (212) 805-7949**

Hon. Justice P. Kevin Castel  
U.S. District Court, Southern District  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *United National Specialty Insurance Company v. 1854 Monroe Avenue H.D.F.C. and Eulalia Balaguer*  
Docket No.: 07-CV-10934  
Our File: 07-544

Dear Judge Castel:

We represent United National in the above referenced matter and write on consent of all parties to request that the oral argument scheduled for September 12, 2008 at 2:30pm be adjourned for one week until September 19, 2008.

There are currently three motions pending before the Court. One is our motion for summary judgment against Eulalia Balaguer, which is fully submitted. The second is Balaguer's cross motion for summary judgment which is also fully submitted. The third motion is 1854's motion to vacate a default judgment. The latter motion is not fully submitted; in fact, the Court granted 1854's application to extend its time to submit reply until September 12, 2008; that means that we will not have the reply until September 12 at the earliest. In order to have a chance to review the reply in advance, we ask for the argument date to be adjourned. This is the first requests to adjourn the date for oral argument.

Respectfully submitted,  
MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP

Steven Verveniotis

*Argument adjourned from September 12 to September 19 at 2pm*  
*SO ORDERED*  
*[Signature]*  
*USDC*  
*9-8-08*